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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:	§	
	§	CASE NO: 18-40812
ROBERT FARRELL BRINKLEY,	§	
	§	Chapter 13
<i>Debtor.</i>	§	

OBJECTION TO MOTION FOR RELIEF FROM STAY

TO THE HONORABLE U.S. BANKRUPTCY COURT JUDGE:

COMES NOW, Robert Farrell Brinkley (“**Debtor**”), Debtor in the above-entitled and numbered cause of action and files this Response to the Motion for Relief from Automatic Stay (the “**Motion**”) filed by Planet Home Lending, LLC (“**Movant**”), and would show the court as follows:

1. Debtor denies generally the assertions in Movant’s Motion.
2. Debtor alleges that the house in question – located at 4302 Cheyenne Drive, Rowlett, Texas 75088 (the “**Property**”) – is adequately protected by insurance, equity in the property, and arrearage payments which will be made through Debtor’s chapter 13 plan.
3. Debtor states further that the Property is necessary for an effective reorganization.
4. Debtor objects to the waiver of the time period provided in Bankruptcy Rule 4001(a)(3), and Movant has not asserted any basis for such waiver.
5. Debtor asserts that payments to Movant are expected to be caught up before a

hearing on this matter. If they are not, then Debtor intends to file a modification of his plan to include any arrearage amount as part of his plan base to be paid out over the remaining term of his bankruptcy plan.

WHEREFORE, Debtor prays that the relief sought by Movant be denied and for such other and further relief the court deems just and proper.

DATED this 5th day of February, 2020.

Respectfully submitted,

/s/ Gregory W. Mitchell

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ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2020, a true and correct copy of the foregoing was served via U.S. Mail and/or ECF to the required parties and creditors of the Debtor listed below.

THE MITCHELL LAW FIRM, L.P.

/s/ Gregory W. Mitchell

Gregory W. Mitchell

Attorney for Debtor

Chapter 13 Trustee

Ms. Carey Ebert

Via ECF

Office of the U.S. Trustee

Eastern District of Texas

Via ECF

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